

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1371 - SB 1640

March 16, 2011

SUMMARY OF BILL: Authorizes jury trials in contested annexation actions.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – \$800*

Assumptions:

- Currently, quo warranto actions are heard at a bench trial before a judge or chancellor.
- According to the State Court Clerk's Association, the number of quo warranto actions filed statewide is unknown.
- Based on information previously provided by the County Technical Advisory Service (CTAS), there were approximately five contested annexations in 2008.
- There will be approximately five contested annexations trials in 2011 and each subsequent year. The number of trials that will be heard by a jury is unknown but is estimated to be 50 percent, resulting in three contested annexation trials heard by a jury each year.
- Trials are estimated to last two days, with 14 jurors paid \$10 per day. The resulting increase to local expenditures is \$840 (3 trials x 2 days x 14 jurors x \$10).

**Article II, Section 24 of the Tennessee Constitution provides that: No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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